

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

JIMMY LEE DAVIS

PLAINTIFF

V.

CIVIL ACTION NO.: 4:10-CV-53-DPJ-FKB

K. FLAGG AND E. FLUNKER

DEFENDANTS

ORDER

This cause came on this date to be heard upon the Report and Recommendation of the United States Magistrate Judge, after referral of hearing by this Court. The Court, having fully reviewed the unopposed Report and Recommendation of the United States Magistrate Judge entered in this cause, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of United States Magistrate F. Keith Ball be, and the same is hereby, adopted as the finding of this Court. Plaintiff's *in forma pauperis* status is revoked. Plaintiff is given until August 29, 2011 to pay the entire \$350.00 filing fee. If he fails to pay the entire filing fee, this action will be dismissed without prejudice without further notice.

**SO ORDERED AND ADJUDGED** this the 28<sup>th</sup> day of July, 2011.

s/ Daniel P. Jordan III  
UNITED STATES DISTRICT JUDGE